U.S. Pat. Appln. Serial No. 09/445,043 Response to OA dated December 16, 2004 March 16, 2005 Page 9

<u>APPENDIX A</u> Listing of Claims

OPPENHEIMER LAW FIRM

- 1. (Currently Amended) A container assembly comprising a closure for an open-ended container, and an open-ended container, the container assembly comprising;
- (i) a flexible membrane for closing the open end of the container;
- (ii) an adhesive seal between the flexible membrane and the container;
- (iii) a rigid cap having a resiliently deformable member juxtaposed to the flexible membrane such that when the cap is in use, the flexible membrane is pressed against the container in the vicinity of the seal, thereby reinforcing the seal sufficiently to withstand high pressures which are generated from cooking the contents of the container,
- (iv) the rigid cap further having a first cam and follower pair, which when in use is engaged with a second cam and follower pair located on the container neck, relative movement between the first and second cam and follower pairs in a predetermined direction causes the rigid cap and the container neck to approach one another, thereby increasing the pressure exerted by the resiliently deformable member on the flexible membrane; and
- (v) the rigid cap further having a laminar member and an annular skirt, the skirt extending downwardly from the laminar member, and the second cam and follower pair is secured on an upper wall of the skirt,

wherein the laminar member is spaced from the flexible membrane by a distance less than the maximum possible extension of the flexible membrane towards the laminar member.

- 2. (Cancelled)
- 3. (Previously Presented) A container assembly according to Claim 1 wherein the first and second cam and follower pairs include co-operating screw threads formed respectively on the container neck and the rigid cap.
- 4. (Previously Presented) A container assembly according to Claim 1 further having an annular flange, the resiliently deformable member is substantially congruent with the flange, and

PAGE 11/12 * RCVD AT 3/16/2005 4:45:43 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/1 * DNIS:8729306 * CSID:612 607 7100 * DURATION (mm-ss):03-40

U.S. Pat. Appln. Serial No. 09/445,043 Response to OA dated December 16, 2004 March 16, 2005 Page 10

wherein the rigid cap is in place over the container, the resiliently deformable member presses the flexible membrane against the flange.

- 5. (Cancelled)
- 6. (Currently Amended) A container assembly according the Claim 1 wherein the laminar member is a circular disc, and the skirt extending extends from the outer periphery thereof.
 - 7. (Cancelled)
- 8. (Previously Presented) A container assembly according to Claim 1 wherein the resiliently deformable member comprises a foamed material secured to the rigid cap.
- 9. (Previously Presented) A container assembly according to Claim 1 wherein the flexible membrane comprises a metal foil adhesively securable on the container neck.
- 10. (Previously Presented) A container assembly according to Claim 4 wherein the rigid cap is shaped for use with the container neck which is generally cylindrical in shape.
- 11. (Previously Presented) A container assembly according to Claim 1 including a lifting tab hingedly secured to the flexible membrane and is comprised of the same material as that of the flexible membrane.
 - 12. (Cancelled)
- 13. (Previously Presented) A container assembly according to Claim 1 wherein the rigid cap supports the body of the can in a radial direction.
 - 14-18. (Withdrawn)
 - 19-21. (Cancelled)
 - 22. (Withdrawn)